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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/079,276	02/20/2002	Robert Lance Cook	25791.83	6171

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EXAMINER

WALKER, ZAKIYA NICOLE

ART UNIT PAPER NUMBER

3672

DATE MAILED: 06/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/079,276

Applicant(s)

COOK ET AL.

Examiner

Zakiya N. Walker

Art Unit

3672

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 4 and 17-38 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 4, 17-23, 32 and 35-38 is/are allowed.
- 6) ☒ Claim(s) 24-31, 33 and 34 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 09122003, 02182004.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Specification

1. The abstract of the disclosure is objected to because the term "said" is recited in line 8. Correction is required. See MPEP § 608.01(b).
2. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

3. Applicant should rephrase the Cross Reference To Related Applications section of the specification. Applicant should update the status of the applications, and should not include attorney docket numbers. See paragraph #4 below.
4. If applicant desires priority under 35 U.S.C. 121 based upon a previously filed application, specific reference to the earlier filed application must be made in the instant application. For benefit claims under 35 U.S.C. 120, 121 or 365(c), the reference must include the relationship (i.e., continuation, divisional, or continuation-in-part) of the applications. This should appear as the first sentence of the specification following the title, preferably as a separate paragraph unless it appears in an application data sheet. The status of nonprovisional parent application(s) (whether patented or abandoned)

Art Unit: 3672

should also be included. If a parent application has become a patent, the expression "now Patent No. _____" should follow the filing date of the parent application. If a parent application has become abandoned, the expression "now abandoned" should follow the filing date of the parent application.

If the application is a utility or plant application filed under 35 U.S.C. 111(a) on or after November 29, 2000, the specific reference must be submitted during the pendency of the application and within the later of four months from the actual filing date of the application or sixteen months from the filing date of the prior application. If the application is a utility or plant application which entered the national stage from an international application filed on or after November 29, 2000, after compliance with 35 U.S.C. 371, the specific reference must be submitted during the pendency of the application and within the later of four months from the date on which the national stage commenced under 35 U.S.C. 371(b) or (f) or sixteen months from the filing date of the prior application. See 37 CFR 1.78(a)(2)(ii) and (a)(5)(ii). This time period is not extendable and a failure to submit the reference required by 35 U.S.C. 119(e) and/or 120, where applicable, within this time period is considered a waiver of any benefit of such prior application(s) under 35 U.S.C. 119(e), 120, 121 and 365(c). A priority claim filed after the required time period may be accepted if it is accompanied by a grantable petition to accept an unintentionally delayed claim for priority under 35 U.S.C. 119(e), 120, 121 and 365(c). The petition must be accompanied by (1) the reference required by 35 U.S.C. 120 or 119(e) and 37 CFR 1.78(a)(2) or (a)(5) to the prior application (unless previously submitted), (2) a surcharge under 37 CFR 1.17(t), and (3) a

Art Unit: 3672

statement that the entire delay between the date the claim was due under 37 CFR 1.78(a)(2) or (a)(5) and the date the claim was filed was unintentional. The Director may require additional information where there is a question whether the delay was unintentional. The petition should be addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 24-31, 33, and 34 are rejected under 35 U.S.C. 102(b) as being anticipated by Ross et al.'180.

Ross et al.'180 discloses a system that includes an apparatus, with respect to claim 24, comprising: an outer tubular member 605 comprising a plurality of slots 603 at a plurality of discrete circumferentially spaced apart locations; an inner tubular member 616 positioned within the outer tubular member, the inner tubular member comprising a plurality of slots at a plurality of discrete circumferentially spaced apart locations (aligned with 603); and a coupling assembly 628 for releasably coupling the outer tubular member slots to the inner tubular member slots at a plurality of discrete circumferentially spaced apart locations. With respect to claims 25 and 26, further comprising: a decoupling assembly (A) for controllably decoupling the outer tubular

Art Unit: 3672

member from the inner tubular member if the operating pressure within the inner tubular member exceeds a predetermined value; and a decoupling assembly 614 for controllably decoupling the outer tubular member from the inner tubular member if the inner tubular member is displaced in a longitudinal direction relative to the outer tubular member and then displaced in an opposite longitudinal direction relative to the outer tubular member.

With respect to claims 27-31, the reference teaches an apparatus comprising: an outer tubular member 605 comprising a plurality of slots at plurality of discrete circumferentially spaced apart locations; an inner tubular member 616 positioned within the outer tubular member, the inner tubular member comprising a plurality of slots at a plurality of discrete circumferentially spaced apart locations; and means 628 for releasably coupling at least one outer tubular member slot to least one inner tubular member slot; wherein the means for releasably coupling the outer tubular member slot to the inner tubular member slot comprises: means for releasably coupling the outer tubular member to the inner tubular member at a plurality of circumferentially spaced apart slots; further comprising means (A, 614) for decoupling the inner tubular member from the outer tubular member; wherein the means for decoupling the inner tubular member from the outer tubular member comprises: means (A) for decoupling the inner tubular member from the outer tubular member if the operating pressure within the inner tubular member exceeds a predetermined value; and wherein the means for decoupling the inner tubular member from the outer tubular member comprises means 614 for decoupling the inner tubular member from the outer tubular member if the inner

Art Unit: 3672

tubular member is displaced relative to the outer tubular member in a longitudinal direction and then displaced relative to the outer tubular member in an opposite longitudinal direction.

With respect to claim 33, the reference teaches an apparatus comprising: an outer tubular member 605 comprising a plurality of slots 603 at a plurality of discrete circumferentially spaced apart locations; an inner tubular member 616 positioned within the outer tubular member, the inner tubular member comprising a plurality of slots at a plurality of discrete circumferentially spaced apart locations; a coupling assembly 628 for releasably coupling the outer tubular member to the inner tubular member at a plurality of the discrete circumferentially spaced apart slots; a first decoupling assembly (A) for controllably decoupling the outer tubular member from the inner tubular member if the operating pressure within the inner tubular member exceeds a predetermined value; and a second decoupling assembly 614 for controllably decoupling the outer tubular member from the inner tubular member if the inner tubular member is displaced in a longitudinal direction relative to the outer tubular member and then displaced in an opposite longitudinal direction relative to the outer tubular member.

With respect to claim 34, the reference teaches an apparatus, comprising: an outer tubular member 605 comprising a plurality of slots at a plurality of discrete circumferentially spaced apart locations; an inner tubular member 616 positioned within the outer tubular member, the inner tubular member comprising a plurality of slots at a plurality of discrete circumferentially spaced apart locations; means 628 for releasably coupling the outer tubular member to the inner tubular member at a plurality of the

Art Unit: 3672

circumferentially spaced apart slots; means (A) for decoupling the inner tubular member from the outer tubular member if the operating pressure within the inner tubular member exceeds a predetermined value; and means 614 for decoupling the inner tubular member from the outer tubular member if the inner tubular member is displaced relative to the outer tubular member in a longitudinal direction and then displaced relative to the outer tubular member in an opposite longitudinal direction.

Allowable Subject Matter

7. Claims 4, 17-23, 32, and 35-38 are allowed.

Response to Arguments

8. Applicant's arguments with respect to claims 4 and 17-38 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Kilgore et al.'173 teaches a lock system for tubulars having slots. Hromas et al. teaches an apparatus that includes releasably coupled mandrels with slots.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Zakiya N. Walker whose telephone number is (703) 305-0302. The examiner can normally be reached on Tuesday-Friday, 6:30 AM-5 PM.

Art Unit: 3672

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Bagnell can be reached on (703) 308-2151. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Zakiya N. Walker
Primary Examiner
Art Unit 3672

ZW

May 27, 2004